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Taking the bull by its horns: the political economic logics of new farm laws and agrarian dissent in India

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ABSTRACT

The Indian government's latest series of farm laws (a set of three Acts) have sparked protests by farmers around the country. This viewpoint argues that the new farm laws are designed to deepen capitalism within the countryside by liberalising agricultural trade. It highlights the political economic logics of the new farm laws and outlines the contradictions inherent in these laws. It also argues that agrarian dissent is fractured along class lines and that we need broad movements for social justice to address growing socio-economic inequalities in the country.

KEYWORDS

Economic reforms; food security; agrarian dissent; India; farm laws

Introduction


The Indian government passed a series of farm laws in September 2020, a collection of three Acts. The laws were passed without much debate in parliament, despite repeated demands by opposition parties to send the bills to a select parliamentary committee (Roy 2020). Immediately after the Acts were passed, farmers' protests began. The opposition parties and trade unions have voiced their support for farmers against the three Acts (The Hindu 2020). A few state governments (such as Punjab, Rajasthan, and Chhattisgarh) have approved legislations to counter the new laws. One Union Minister (Minister of Food Processing Industries) has resigned from the government, stating these laws to be 'anti-farmer ordinances and legislation'. The Supreme Court of India has put a hold on the laws until further orders. However, the government maintains these laws to be beneficial for the agricultural sector and the farmers. The Prime Minister Narendra Modi tweeted

For decades, the Indian farmer was bound by various constraints and bullied by middlemen. The bills passed by Parliament liberate the farmers from such adversities. These bills will add impetus to the efforts to double income of farmers and ensure greater prosperity for them.

This commentary places the latest farm laws within the wider political economy of neoliberal reforms in India that began in 1991. It argues that agrarian dissent in India is class-based and there is a need for the current farmers' protests to develop into a wider movement built around social justice.

Political economy of reforms in India

The 1990s was a period of new economic reforms in India, with measures such as removal of trade barriers, allowing private investments in sectors previously reserved for state-owned firms such as

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defence, pharmaceuticals and information technology, devaluation of the currency, fiscal correction, and financial sector reforms. While the Indian economy grew at an average of about 6% per annum from the mid 1990s onwards (World Bank [n.d](#)), its performance in various development indicators (such as poverty, income inequality, employment, child malnutrition) has been questioned by various observers (see Corbridge, Harriss, and Jeffrey [2013](#)). The post-reform period may be characterised as a period of uneven development, with urban areas benefitting at the expense of rural regions, where the bulk of the Indian population still lives (Corbridge, Harriss, and Jeffrey [2013](#)).

Walker ([2008](#)), in her review of the neoliberal reforms in India and its impact on the agrarian sector, argued that the pursuit of neoliberalism in India has increasingly involved forcible expropriation of land. Walker argues that this has generated an agrarian crisis where capital (both domestic and international) has benefitted through the dispossession of the rural poor. Specifically, the experience of neoliberal reforms over the last three decades has resulted in high-levels of smallholder debts and agrarian distress. India has one of the highest rates of farmer suicide in the world (Shakeel, Hussain, and Hashmi [2017](#)). The official figures, from the National Crime Records Bureau (NCRB), Ministry of Home Affairs, Government of India, for the period between 1995 and 2006 puts the total number of farmer suicides at 190,753, which translates to approximately 16,000 every year (Nagaraj [2008](#)).

Overall, the agrarian situation in the country has been marked by agrarian class conflict. The abolition of the feudal (Zamindari) system in the 1950s generated class conflicts between the upper classes (the landed gentry) and landless peasants (Lerche [2013](#)). Similarly, the Green Revolution of the 1970s, which made India self-sufficient in food grain production, primarily benefitted landowners from the upper classes, who had traditionally been large scale landowners (Jodhka [2012](#)). The neoliberal reforms of the 1990s further deepened the divide between the wealthy rural elites and the poor peasantry (which includes agricultural labourers, landless peasants and small and medium land holders) (see Corbridge, Harriss, and Jeffrey [2013](#)). Accordingly, the current series of farm laws can be seen as a continuation of reforms in the marketing and distribution side of the agricultural sector.

The idea of deregulated agricultural markets has been debated within Indian policy circles since the early 2000s. In 2001, the Guru Committee on Marketing Infrastructure & Agricultural Marketing Reforms, set up by the then BJP-led NDA government, published its 74-page report (Ministry of Agriculture [2001](#)). Some of the report's recommendations are worth highlighting here. The report recommended that 'in promoting vibrant competitive marketing systems, the Government needs to examine all existing policies, rules and regulations with a view to remove all legal provisions inhibiting a free marketing system' (Ministry of Agriculture [2001](#), 4). The report went on to make specific recommendations and says,

The Essential Commodities Act, 1955 which has resulted in restrictions on storage and free movement of stocks, initiative by the trade in innovation and investment, should be repealed to make way for play of free market forces in real sense ... The Committee suggests promotion of direct marketing as one of the alternative marketing structures that sustain incentives for quality and enhanced productivity, reduce distribution losses, improving farmer incomes with improved technology support and methods. The market will operate outside the purview of the Agricultural Produce Marketing Act and will be owned by professional agencies in the private sector, wholesalers, trade associations and other investors. The government's role should be that of a facilitator rather than that of having control over the management of the markets. (Ministry of Agriculture [2001](#), 6)

A close reading of the new farm laws will reveal that the current government has more or less adopted these recommendations.

What is in the new laws?

The acts in question are the Farmers' Produce Trade and Commerce (Promotion and Facilitation) Act (FPTCA), 2020; the Farmers (Empowerment and Protection) Agreement on Price Assurance and Farm Services Act (FAPAFSA), 2020, and the Essential Commodities (Amendment) Act (ECA), 2020. The

FAPAFSA enables farmers to enter into a 'farming agreement' or contract farming with the 'sponsor': the person who will buy the produce from the farmer at a pre-decided price. Both parties can enter into the agreement with mutually acceptable quality, grades and standards of produce. The Act also allows the agreement to be altered or terminated at any time with mutual consent for 'any reasonable cause'.

The FPTCA allows intra and inter-state trade and commerce in agricultural produce. It also allows for electronic trading and transaction platforms to facilitate the trade. The Agricultural Produce Marketing Committees (APMC) had previously levied taxes allowing respective states to raise revenue. Under the new act, no such levy is allowed by the state under the APMC act or any other state laws. In essence, the government's rationale is that this will encourage farmers to directly sell their produce outside mandis (or market yards), pre-approved under the APMC model Act 1955, to big businesses and retailers, possibly procuring better prices.

The amendment to the ECA has removed certain key products such as oilseeds, pulses, edible oils, potato, and onion from the essential commodities list. It also terminates the checks imposed on the stock-holding limits of essential commodities (except under special circumstances). In essence, there will be no restrictions on the hoarding of essential commodities.

The government's introduction of these laws is a clear signal of radical deregulation and privatisation of the agricultural sector in the country. In many ways, under the garb of free markets and free trade (or neoliberalism) the government is relinquishing its primary development role in the Indian political economy during the particularly distressing time of the COVID-19 pandemic.

More than 'Mandis'

The APMC-mandated mandis in various states play an important role in agricultural trade in India, providing farmers with access to markets.¹ Only licensed traders as middlemen are allowed to buy food grains from farmers at set prices determined through auctions. These middlemen would then sell to buyers like retailers and large traders. Farmers receive payments within a particular time period. The APMCs also hear grievances and oversee malpractices in the sale and purchase of produce.

Indeed, mandis have their own problems. Farmers in many instances do not get fair prices through mandis due to various intermediaries. But to think that farmers will be able to directly sell their produce in open markets in the hopes of procuring higher prices is wishful thinking. Take for example the state of Bihar, which scrapped the APMC mandis 14 years ago; there is evidence of farmers selling rice in private markets at half the prices fixed by the Central government as MSP (Manoj 2020). Furthermore, it is not easy to move agricultural goods over large distances without access to proper transportation, logistics, and storage infrastructure. While the rich peasantry can absorb the cost and can potentially benefit from the new arrangements, for small and marginal farmers this is unreasonable.

The current government's argument for the deregulation of these markets is that an increase in private sector investment in agricultural marketing will result in better prices for farmers. But this idea needs a reality check. The pandemic has slowed most economic activities around the world. Governments have stepped in to provide emergency support to ailing businesses and workers at a time when the private sector has been scaling back. Thus, the Indian government's move to depend on the private sector for investment in times of uncertainty is a huge misjudgement on its part.

Furthermore, the government has put enormous focus on technology (such as price information, market intelligence systems, and electronic trading platforms) in the hope of eliminating market deficiencies and removing the middlemen. Indeed, disintermediation in the market may result in higher prices for farmers as they can sell directly to the retailer.² However, in practice this is a fantasy. Much of the farm produce in rural India is already sold outside the APMCs' mandate (Mitra 2020), especially by small and marginal landholding farmers (about 86% of the farmers in

India). The majority of these farmers depend on buyers and brokers to get their produce to the markets. Agricultural markets in towns and villages of India are littered with these middlemen. While some middlemen at the APMCs (such as agents and lenders) might be removed through direct trade in open markets, the possibilities for new forms of reintermediation are endless. New intermediaries such as local and regional mid-level buyers, lenders, transport suppliers, and traders are very likely to emerge, which opens up the space for price manipulation.

Prices of agricultural goods are determined not just by their overall supply and demand in the market, but also by who has the power in the supply chains. Allowing farmers to directly engage in trade of their produce with the private sector will lead to enhanced potential for collusion by new agents, who may engage in unfair and stealthy practices to keep the prices down (for example, not buying the goods on time; collusion by agents is well known in the Indian agriculture market. See, for example, Banerji and Meenakshi 2004). The perishable nature of most agricultural goods means big businesses and retailers can leverage it to buy goods at below the market price.

This is where the APMC-mandated mandis provided a crucial link between farmers and buyers by affording them legal protection against malpractices and fraud.³ Removing such links only exposes the farmers to further risks (such as fluctuating prices and lack of legal protection). Under the new laws, farmers unions (key for their collective bargaining) will have little involvement in various farm disputes, which will be dealt with by a magistrate. The disputes related to trade under the FPTCA cannot be challenged in the civil courts while the higher judiciary remains practically beyond the reach of most farmers in the country.

Furthermore, there are contradictions inherent in the government's vision for the marketing of agricultural produce outside APMC-mandated mandis. The share of public investment in agriculture (such as for developing infrastructure for market development) has declined since the 1980s (Golait and Lokare 2008). While food production may have increased, poor infrastructural facilities such as storage and transport result in high levels of food wastage, which has implications for food security.

The contradictions of MSPs and food insecurity

The three pillars of the food security system in India are MSPs, public procurement of food grains, and Public Distribution Systems (PDS), which the new laws threaten. The National Food Security Act (NFSA) of 2013 was introduced to provide subsidised food grains to the poorest segments of the Indian population.

The Food Corporation of India (FCI) procures food grains at an MSP and maintains a buffer stock for emergencies such as war, drought, and flood. The government norms say that a buffer stock of 20 million tonnes and a strategic reserve of 5 million tonnes is to be maintained. During the last few years the buffer stock with FCI has increased, creating pressure on limited storage capacity. By April 2021, the FCI had just over 80 million tonnes of food grains in storage, well over the buffer norms (Press Information Bureau 2020). Despite this, food insecurity and malnutrition are still prevalent in India (Shakeel 2018). The government's intention to put a check on public procurement is intended to reduce financial burden on the exchequer.

The Commission for Agricultural Costs and Prices' (CACP) has recently recommended reviewing the government's open-ended procurement and shifting towards private procurement to correct market inefficiencies. In recent years, MSPs for a number of critical crops such as wheat, rice, and maize have also remained higher than the open market rates, with the increased input costs, large buffer stock, and the economic downturn all affecting prices. The Cabinet Committee on Economic Affairs has already declared an increase in the MSP of all mandated rabi crops for the 2020–21 seasons (cf. EPW 2020). These MSPs have been crucial for farmers during times of drought or crop failure.⁴ While an MSP is announced for more than 20 crops, not every crop is procured by the government.⁵ If the government stops procuring food grains at MSPs, then it cannot supply subsidised essential commodities to India's poor through a network of fair price shops, thus making the PDS and

the fair price shops largely irrelevant. For the poor of India, this is bad news, with higher food costs and consequences for malnutrition.

Under the FPTCA, much of the auction of food grains would shift outside the APMC mandis, making them less relevant for MSPs. Farmers fear that APMC mandis will be slowly phased out, leaving them vulnerable to price shocks in the absence of MSPs (NDTV 2020). Allowing trade on open markets to private buyers without the proper guidelines of MSPs would likely result in big buyers arm-twisting farmers to sell produce at lower prices. There is no guideline in the new laws that prevents retailers or private buyers from buying at below the MSP. The prices are to be solely determined by mutual agreement between a farmer and agribusinesses, large retailers, or exporters. The risk here is that agribusinesses will leverage their value chain positions to enter into a contract with lower prices. Large transnational agricultural traders often hedge their purchases to protect from price spikes (Financial Times 2010).

Before the implementation of the ECA, the government procured and stored food grains along with private traders, but with a hoarding limit. Now the hoarding restrictions have been removed, risking intensifying hunger amidst plenty (Haynes 2008). This can significantly affect the supply and prices of food grains locally.⁶ There are other kinds of dangers. The removal of hoarding and a greater role for the private sector means there are risks of increasing financialisation and a greater space for large multinational trading corporations (along with private equity firms) within the Indian agricultural sector now. Increasing financialisation within the agricultural system has been a driving factor in global land grabbing by the private sector, with the active complicity of the state (see Cotula et al. 2009). India already has its own fractious experience of land grabbing, both through state-directed infrastructural projects such as dams (see Gadgil and Guha 2005) and the Special Economic Zones (SEZs) (see Levien 2018; Anwar and Carmody 2016). There are real dangers of further displacement and dispossession in the countryside and fuelling of agrarian dissent in the country.

Agrarian dissent in India

There is a farm crisis in India and the Indian peasantry's discontent is on the rise. In March 2018, 40,000 farmers came together in Mumbai to demand land rights, better compensation, and support to the farming sector. In November that year, tens of thousands of farmers marched on the national capital demanding debt waivers and higher crop prices (AlJazeera 2018). In 2020, the first nine months saw more than 50 major farmers' protests in India (Pandey 2020). The importance of the agrarian question in India's context has become ever more relevant in the context of the new laws and the farmers' protests. The peasantry finds itself disenfranchised and its discontent towards the ruling class is visible in its recurrent protests against the encroachment of capitalism into the countryside.

The deepening of agrarian capitalism in India did not necessarily lead towards industrialisation in the classical sense. Since the 1970s, the contribution of agriculture towards the national economic output has declined but the percentage of population dependent on it is still over 50% (Economic Survey of India 2019–2020). While landlordism has declined, those with access to land attempt to seek rent from it. Rich peasantry or large land owners have also gained positions away from the countryside, within urban areas, through investments, access to political power, and public sector jobs (Levien 2018). However, the uneven developments that characterise agrarian capitalism in India mean that there are variations in terms of opposition to such transitions across the country (Lerche 2013). Put differently, agrarian dissent in India is class-based.

Take for example, the SEZ Act 2005. This was passed to catalyse the industrial and services sector through the expropriation of land with the help of the state (Anwar 2014). The protest movements against land acquisition for SEZs were very diverse nationally. In West Bengal and Orissa, the poor peasantry's movements was directed against accumulation by dispossession (most notably in Nandigram) and faced state-directed violence and repression. However, in Haryana and Rajasthan the large landowning class' resistance efforts were targeted at the government's handling of land

acquisitions and monetary compensation, but not necessarily for the struggle against dispossession (see Kennedy 2020; Leven 2018; Anwar and Carmody 2016).

Similarly, while protests against the new farm laws have taken place in various states across the country, they have been more intense in the food basket states of India, namely Punjab, Haryana and some parts of the western Uttar Pradesh, often among large land-holding farmers (Haq 2020). As of January 2021, the Supreme Court of India has put a stay on these new laws, but the farmers' protest movement continues. It is too early to predict the mobilising structures and the distinct forms or trajectories these protests will take in the near future. The protest movement has also drawn support from states such as Kerala, Karnataka, and Gujarat (the home state of Prime Minister Modi) and is gaining further momentum (Kumar 2021; Schmall 2020). Thus, there is a need to understand class structure within these movements and also to contextualise this within the regional agrarian trajectories.

No doubt the new laws are aimed at weakening the socio-political and economic structures of rural India and deepening the penetration of agri-businesses in the countryside. Farmers have genuine concerns that the government is trying to dispense with the MSP regime and public procurement. But this will affect different types of farmers differently. As Lerche (2013) argues, in a diverse political and social environment as in India, there is a need to think not of a single agrarian question, but various different regionally specific agrarian questions.

One of those questions should focus on resistance against neoliberalism in India. This is not to say there is no space for redistributive reforms and/or effective regulation. Indeed, they are critical for wider welfare across the country. But the point here is that building grassroots movements remains at the core of a thriving democratic system, which is under increasing threat in India under the current Modi government.⁷ Furthermore, the tragedy of India's experience of neoliberal reforms has been not just the adverse implications for the poor but a lack of revolution (Das 2015).⁸ While there has been some peasant resistance from below, best symbolised through movements such as Narmada Bachao Andolan (see Routledge 2003), and diverse nationwide resistance movements against Special Economic Zones, the revival of old-style class struggles is much needed in the current times. This class struggle could take distinct local forms, but could also connect to the wider national coalitions for social justice built around broad-based welfare schemes and effective regulation. As one of India's leading rural affairs experts, Palagummi Sainath, recently said in a public lecture,

amid the incredible growth of inequality in India; amid the scenario when dissent has been criminalised; when policies of the state and corporates are designed to fail the poor; and moral universe of the state has shifted, then the solution lies in "going back to battles of justice". (The Tribune 2018)

Notes

1. Though the functioning and regulation of mandis vary from state to state.
2. Disintermediation refers to the removal of intermediaries in a value chain, or cutting out the middleman.
3. Though, in practice, access to proper legal protection among farmers is a luxury (Datla 2020).
4. Some observers noted that hikes in MSPs only benefit a handful of farmers (Hussain 2018).
5. The government sets prices for just around two dozen crops and buys mainly wheat and rice, along with pulses and a few oilseeds. It then distributes these commodities through a chain of government regulated shops colloquially referred to as ration shops.
6. Late last year in 2019, Prime Minister Modi's government had imposed hoarding limit on onions at 50,000 kilograms for wholesale traders and 10,000 kilograms for retailers.
7. The Democracy under Siege report in 2021 by Freedom House, a US-based think tank, noted that 'political rights and civil liberties in the country have deteriorated since Narendra Modi became prime minister in 2014' and categorised India as 'partly free' (Repucci and Slipowitz 2021, 7).
8. It is worth noting that some of the Modi government's policies such as the Citizenship Amendment Act 2019 have generated mass dissent and social movements (e.g., Shaheen Bagh protest in New Delhi led primarily by women).

Disclosure statement

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